

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:

**BRANDY LEANN STONE
SSN: XXX-XX-3209**

**604 HUGH DUFFY CV
LAVERGNE, TN 37086**

Debtor(s).

**CASE NO. 17-03281
CHAPTER 13
JUDGE WALKER**

**THE DEADLINE FOR FILING A TIMELY RESPONSE IS: 01/04/2018
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: 01/24/2018
AT 8:30 AM IN COURTROOM ONE, SECOND FLOOR, CUSTOMS HOUSE, 701 BROADWAY,
NASHVILLE, TN 37203**

NOTICE OF MOTION TO TEMPORARILY SUSPEND PLAN PAYMENTS

The debtors have asked the court for the following relief: temporarily suspend Chapter 13 plan payments.

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion by entering the attached order, or if you want the court to consider your views on the motion, then on or before the response date stated above, you or your attorney must:

1. File with the court your response or objection explaining your position. Please note: the Bankruptcy Court for the Middle District of Tennessee requires electronic filing. Any response or objection you wish to file must be submitted electronically. To file electronically, you or your attorney must go to the court website and follow the instructions at: <https://ecf.tnmb.uscourts.gov>.

If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: 701 Broadway, 1st Floor, Nashville, TN (Monday - Friday, 8:00 A.M. - 4:00 P.M.).

2. Your response must state the deadline for filing responses, the date of the scheduled hearing and the motion to which you are responding.

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by viewing the case on the court's website at <https://ecf.tnmb.uscourts.gov>.

If you or your attorney does not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter the attached order granting that relief.

Date: 12/15/2017

Signature:

/s/ Mary Catherine Gasser

Mary Catherine Gasser, BPR #030898

Attorney for Debtor(s)

Gasser Law, PLLC

511 Enon Springs Road, East

Smyrna, TN 37167

(615)459-6130

fax (615)459-7727 cgasser@gasserlawoffice.com

**IN THE UNITED STATES BANKRUPTCY
COURT FOR THE MIDDLE DISTRICT OF
TENNESSEE**

| | | |
|---------------------------|---|--------------------------|
| IN RE: |) | |
| |) | |
| BRANDY LEANN STONE |) | |
| SSN: XXX-XX-3209 |) | CASE NO. 17-03281 |
| |) | CHAPTER 13 |
| 604 HUGH DUFFY CV |) | JUDGE WALKER |
| LAVERGNE, TN 37086 |) | |
| |) | |
| Debtor(s). |) | |

MOTION TO TEMPORARILY SUSPEND PLAN PAYMENTS

Comes now the Debtor, by and through counsel, and hereby moves this Court for an order temporarily suspending her plan payments for a period of three months.

In support of the motion, the Debtor would show the following:

1. The Debtor is on short term disability and is receiving only 60% of her pay.
2. The Debtor has not been receiving regular short term disability payments income during this time which has caused her to become behind in meeting living expenses. With this temporary reduction in income, the Debtor will be unable to make ongoing Chapter 13 plan payments.
3. Once the Debtor begins to receive her regular wage income after her short term disability has ended, she anticipates the ability to resume her Chapter 13 Plan Payments with an increased plan payment of \$338.00 bi-weekly, to turn over of any tax refunds received and to allow for the case to be placed on probation.
5. Appendix B reflecting the current monthly budget is attached.
6. The Debtor has completed her Financial Management Course on November 21, 2017.
7. Notice of this motion has been sent by U.S. Mail, First Class prepaid to the Debtor and all creditors listed. Notice by electronic means through the CM/ECF system was given to the U.S. Trustee and the Chapter 13 Trustee and all parties requesting notice.

WHEREFORE, PREMISES CONSIDERED, the Debtor requests an order temporarily suspending plan payments for a period of three months.

Respectfully Submitted,

Date: 12/15/2017

/s/ *Mary Catherine Gasser*

Mary Catherine Gasser, BPR #030898
Attorney for Debtor(s)
Gasser Law, PLLC
511 Enon Springs Rd East
Smyrna, TN 37167
(615)459-6130
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| 604 HUGH DUFFY CV |) | JUDGE WALKER |
| LAVERGNE, TN 37086 |) | |
| |) | |
| Debtor(s). |) | |

PROPOSED --- ORDER TEMPORARILY SUSPENDING CHAPTER 13 PLAN PAYMENTS

This matter is before the Court on Debtor's Motion to Temporarily Suspend Chapter 13 Plan Payments. Notice was mailed pursuant to LBR 9013-1 and no responses or objections to the motion were filed.

It is therefore:

ORDERED, that the Debtor's Chapter 13 plan payments be suspended for a period of three months.

It is further,

ORDERED, that the Debtor's Chapter 13 plan payments will increase to \$338 bi-weekly after the period of suspension has concluded.

It is further,

ORDERED, that the Debtor's tax refunds be submitted to the Trustee to further fund the plan.

It is further,

ORDERED, that the Debtor's case be placed on probation.

It is further,

ORDERED, that the Chapter 13 Trustee shall refund any funds received for a period of suspension.

THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF THE FIRST PAGE

PROPOSED

APPROVED FOR ENTRY:

/s/ Mary Catherine Gasser

Mary Catherine Gasser, BPR#030898

Attorney for Debtor(s)

Gasser Law, PLLC

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Smyrna, TN 37167

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**IN THE UNITED STATES BANKRUPTCY COURT
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| IN RE: |) | |
| |) | |
| |) | CASE NO. |
| |) | CHAPTER [12 or 13] |
| Debtor(s). |) | JUDGE |
| |) | |

AMENDED MONTHLY FAMILY BUDGET

| | <u>Prior Budget*</u> | <u>Current Budget*</u> |
|--------------------------------------|----------------------|------------------------|
| Dates of Budgets: | _____ | _____ |
| <u>EXPENSES</u> | | |
| Rent/Mortgage Payment: | _____ | _____ |
| Utilities: | Prior* | Current* |
| Electric: | _____ | _____ |
| Water: | _____ | _____ |
| Heat: | _____ | _____ |
| Telephone/Internet | _____ | _____ |
| Trash: | _____ | _____ |
| Cable/Satellite: | _____ | _____ |
| Other (_____): | _____ | _____ |
| Total Utilities: | _____ | _____ |
| Food: | _____ | _____ |
| Clothing: | _____ | _____ |
| Laundry & Dry Cleaning: | _____ | _____ |
| Newspapers, Books, etc.: | _____ | _____ |
| Medical & Dental Expenses: | _____ | _____ |
| Transportation: | _____ | _____ |
| Insurance (not deducted from wages): | | |
| Auto: | _____ | _____ |
| Life: | _____ | _____ |
| Home: | _____ | _____ |
| Renters: | _____ | _____ |
| Other (_____): | _____ | _____ |
| Total Insurance: | _____ | _____ |
| Taxes (not deducted from wages) | _____ | _____ |
| Child Support | _____ | _____ |
| Home Maintenance | _____ | _____ |
| Other Monthly Expenses (_____): | _____ | _____ |
| TOTAL MONTHLY EXPENSES: | _____ | _____ |

APPENDIX B
AMENDED MONTHLY FAMILY BUDGET

INCOME

Debtor's Gross Income:

Spouse's Gross Income:

Payroll Deductions:

Prior* Current*

Payroll Taxes:

401(k):

Other ()::

Total Payroll Deductions:

Other Regular Income:

Support/Alimony:

Pension/SS/VA:

Other ()::

Total Other Regular Income:

Prior Budget*Current Budget***TOTAL MONTHLY INCOME:****SUMMARY:****Total Monthly Income (from above):****minus Total Monthly Expenses (from page 1):****equals Monthly Surplus:****Monthly Plan Payment:****Duration of Plan (months):****Dividend to Unsecured Creditors (%):****Secured Creditors Affected:**

* Explain any increase or decrease in income, expenses, or dividend that exceeds 10%:

(Debtor)

(Date)

(Debtor)

(Date)

**APPENDIX B
AMENDED MONTHLY FAMILY BUDGET**

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| |) | |
| Debtor(s). |) | |

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Notice and Motion to Suspend Chapter 13 Payments has been furnished to the Chapter 13 Trustee, P.O. Box 340019, Nashville TN 37203 and to the U.S. Trustee, 701 Broadway, 3rd Floor, Nashville, TN 37203 via CM/ECF, to the Debtor(s) at the above referenced address, and mailed via US first class mail, postage pre-paid to the creditor(s) listed below on December 15, 2017.

ADVANCE FINANCIAL
5138 MURFREESBORO ROAD
LAVERGNE TN 37086

BRIAN BATY
604 HUGH DUFFY CV
LAVERGNE TN 37086

CAPITAL ONE
ATTN: GENERAL
CORRESPONDENCE/BANKRUPTCY
PO BOX 30285
SALT LAKE CITY UT 84130

CREDIT SOLUTIONS LLC
2277 THUNDERSTICK DR STE 400
LEXINGTON KY 40505

FIRST PREMIER BANK
601 S MINNEAPOLIS AVE
SIOUX FALLS SD 57104

INLAND BANK
C/C SUSAN FAULKNER
736 CURREY ROAD
NASHVILLE TN 37217

LENDUP
237 KEARNY ST.
SAN FRANCISCO CA 94108

MURFREESBORO MID STATE
GASTROENTEROLOGY
PO BOX 11209
MURFREESBORO TN 37129

REGIONAL ACCEPTANCE CO
5409 MARYLAND WAY STE 25
BRENTWOOD TN 37027

RELIANT REALTY
805 S. CHURCH STREET #1
MURFREESBORO TN 37130

REPUBLIC FINANCE
291 SAM RIDLEY PKWY E ST
SMYRNA TN 37167

SECURITY FINANCE
SFC CENTRALIZED BANKRUPTCY
PO BOX 1893
SPARTANBURG SC 29304

SOCIAL SECURITY ADMINISTRATION
PO BOX 3430
PHILADELPHIA PA 19122

SUN LOAN #255
313 DECATUR PIKE
ATHENS TN 37303

VERIZON
VERIZON WIRELESS BANKRUPTCY
ADMINISTRATI
500 TECNOLGY DR STE 500
WELDON SPRINGS MO 63304

WAKEFIELD & ASSOCIATES
7005 MIDDLEBROOK PIKE
KNOXVILLE TN 37909

AARONS INC
295 N LOWRY STREET
SMYRNA TN 37167

Total number of parties served: 20

Respectfully Submitted,

/s/ MARY CATHERINE GASSER

Mary Catherine Gasser, BPR #030898

Attorney for Debtor

Gasser Law, PLLC

511 Enon Springs Road, East

Smyrna, TN 37167

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